

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

WADE LEE KATZENBACH,

Petitioner,

No. 2:14-cv-00161-PK

v.

ORDER

MARK NOOTH, Superintendent of Snake  
River Correctional Institution,

Respondent.

HERNÁNDEZ, District Judge:

Magistrate Judge Paul Papak issued a Findings & Recommendation [36] on April 25, 2016, recommending that Petitioner Wade Lee Katzenbach's Petition for Writ of Habeas Corpus [2] be denied. Mr. Katzenbach has timely filed objections [38] to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When a party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

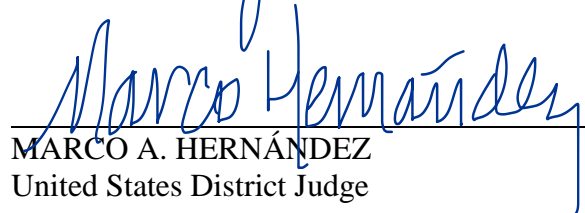
I have carefully considered Petitioner's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no errors in the Magistrate Judge's Findings & Recommendation.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Papak's Findings & Recommendation [36], and therefore, Petitioner's Petition for Writ of Habeas Corpus [2] is DENIED, and this action is dismissed with prejudice. The Court declines to issue a Certificate of Appealability because Petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 5 day of August, 2016.

  
MARCO A. HERNÁNDEZ  
United States District Judge